

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

QJ TEAM, LLC, AND FIVE POINTS
HOLDINGS LLC, individually, and on behalf of
all others similarly situated,

Plaintiffs,

v.

TEXAS ASSOCIATION OF REALTORS,
INC., *et al.*,

Defendants.

Case No. 4:23-cv-1013-SDJ

Judge Sean D. Jordan

JOINT STATUS REPORT

Pursuant to this Court’s September 20, 2024 Order (ECF No. 229), Plaintiffs and Defendant Fathom Realty, LLC (“Fathom”) submit this Joint Status Report:

1. As previously reported to this Court, Fathom entered into a settlement agreement with Plaintiffs in connection with the proposed NAR settlement in *Burnett v. National Association of Realtors*, No. 19-cv-00332 (W.D. Mo.) (the “NAR Settlement”). *See* ECF No. 226.

2. On September 20, 2024, the Court stayed the case as to Fathom and ordered Plaintiffs and Fathom to provide joint status reports on the status of settlement every sixty (60) days. Order, ECF No. 229.

3. On September 30, 2024, the *Burnett* Plaintiffs submitted an Unopposed Motion for Preliminary Approval of Settlements with Brokerages and Non-Realtor Multiple Listing Services Opting into the National Association of Realtors Settlement and for Permissive Joinder of Opt-In Entities (the “Opt-in Motion”). *Burnett* ECF No. 1538.

4. As detailed in the Opt-In Motion, Fathom Holdings, Inc., a parent company of Fathom, has opted into the NAR Settlement. *See id.* at 2.

5. On October 1, 2024, the *Burnett* court granted the Opt-In Motion. Order, *Burnett* ECF No. 1540.

6. A hearing on final approval of the NAR Settlement is set for November 26, 2024. The *Burnett* court also ordered that a hearing on final approval of the opt-in settlements, including Fathom's opt-in settlement occur at the same time. *Id.*

The Parties will continue to file joint status reports on the schedule stated in the Court's September 20, 2024 Order.

Dated: November 19, 2024

Respectfully submitted,

/s/ Julie Petit

Julie Petit, State Bar No. 24065971
David B. Urteago, State Bar No. 24079493
THE PETIT LAW FIRM
2101 Cedar Springs, Suite 1540
Dallas, Texas 75201
Telephone: (214) 329-0151
Email: durteago@petitfirm.com
Email: jpetit@petitfirm.com

Michael K. Hurst, State Bar No. 10316310
Chris Schwegmann, State Bar No. 24051315
Yaman Dasai, State Bar No. 24101695
Jessica Cox, State Bar No. 24114769
LYNN PINKER HURST & SCHWEGMANN, LLP
2100 Ross Avenue, Suite 2700
Dallas, Texas 75201
Telephone: (214) 981-3800
Email: jcox@lynnllp.com
Email: ydesai@lynnllp.com
Email: cschwegmann@lynnllp.com
Email: mhurst@lynnllp.com

Laurence D. King
KAPLAN FOX & KILSHEIMER LLP
1999 Harrison Street, Suite 1560
Oakland, CA 94612
Telephone: (415) 772-4700
Email: lking@kaplanfox.com

Frederic S. Fox
Jeffrey P. Campisi
Matthew P. McCahill
KAPLAN FOX & KILSHEIMER LLP
800 Third Avenue, 38th Floor
New York, NY 10022
Telephone: (212) 687-1980
Email: ffox@kaplanfox.com
Email: jacmpisi@kaplanfox.com
Email: mmccahill@kaplanfox.com

Attorneys for Plaintiffs and Proposed Class

/s/ James D. Lawrence

James D. Lawrence (*admitted pro hac vice*)
BRYAN CAVE LEIGHTON PAISNER LLP
1200 Main St., Suite 3800
Kansas City, MO 64105
Telephone: (816) 374-3200
Email: jim.lawrence@bclplaw.com

Timothy R. Beyer (*admitted pro hac vice*)
BRYAN CAVE LEIGHTON PAISNER LLP
1700 Lincoln Street, #4100
Denver, CO 80203
Telephone: (303) 866-7000
Email: tim.beyer@bclplaw.com

Lindsay Sklar Johnson (*admitted pro hac vice*)
BRYAN CAVE LEIGHTON PAISNER LLP
1201 W. Peachtree St., N.W., 14th Floor
Atlanta, GA 30309-3471
Telephone: (404) 572-6600
Email: lindsay.johnson@bclplaw.com

Emilee L. Hargis, (*admitted pro hac vice*)
BRYAN CAVE LEIGHTON PAISNER LLP
211 N. Broadway, Suite 3600
St. Louis, MO 63102
Telephone: (314) 259-2028
Email: emilee.hargis@bclplaw.com

Attorneys for Defendant Fathom Realty, LLC

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(d)(1)(B), as amended, no certificate of service is necessary because this document is being filed with the Court's electronic-filing system. Pursuant to Local Rule CV-5(c), this document was served through the Court's electronic-filing system on November 19, 2024.

/s/ James D. Lawrence

James D. Lawrence